

RESOLUTION NO. 1563

**A RESOLUTION ADOPTING THE 2019 RULES OF
THE CITY COUNCIL OF CENTRAL POINT, OREGON**

RECITALS:

- A. The City Council is required by Section 10 of the City Charter to adopt rules governing its meetings.
- B. In January 2018 Council amended and approved its Council rules pursuant to Resolution 1524.
- C. It is established policy of the City Council of the City of Central Point, Oregon, to review and adopt the Rules of the City Council following a general election.

The City of Central Point resolves as follows:

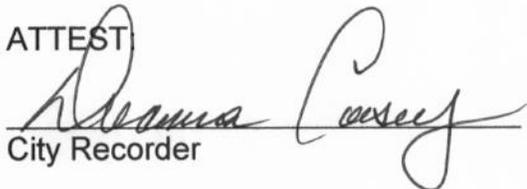
Section 1. Adopting Rules of the City Council. The Rules of the City Council of Central Point are hereby adopted in their entirety to read as set forth in Exhibit 1, attached hereto.

Section 2. Severability. If any section, sentence, clause, or phrase of this Resolution or any resolution adopted or amended hereby, should be held to be invalid or unconstitutional by a court or competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phase of this Resolution.

Passed by the Council and signed by me in authentication of its passage this 10th day of January, 2019.


Mayor Hank Williams

ATTEST:


City Recorder

**RULES OF THE CITY COUNCIL
CENTRAL POINT, OREGON**

CHAPTER 1 – GENERAL GOVERNANCE

I. Rules of Procedure.

A. Unless otherwise provided by charter, ordinance or these rules, the procedure for Council meetings, and any subcommittee of a City Council, shall be guided by Robert's Rules of Order, current edition.

B. Members of the Council are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert's Rules of Order when such points will obscure the issues before the Council and confuse members of the public.

C. Whenever these rules and Robert's Rules of Order conflict, these rules shall govern.

II. Quorum. A quorum is required to conduct official City business.

A. The members of the Council are the City councilors and mayor. Fifty-percent plus one of the members of the Council shall constitute a quorum. Vacancies in office do not count towards determining a quorum.

B. In the event a quorum is not present, the members of Council present shall adjourn the meeting.

III. Presiding Officer.

A. The mayor shall preside over all meetings and have authority to preserve order, enforce the rules of Council and determine the order of business under the Rules of the Council. The mayor shall retain all rights and privileges of the office of the mayor as set out in the City charter when acting in this capacity.

B. In the mayor's absence the president of the Council shall preside over the meeting. The president of the Council shall retain all rights and privileges of the office of the mayor as set out in the City charter when acting in this capacity

C. If both the mayor and the president of the Council are absent from the meeting, the following procedure shall be utilized to determine who is the presiding officer:

1. The Presiding Officer shall call the Council to order and call the roll of the members.

2. Those members of Council present shall elect, by majority vote, a temporary presiding officer for the meeting.

3. Should either the mayor or the president of the Council arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

4. The presiding officer shall retain all rights and privileges of a member of Council when acting in this capacity.

IV. Appointed Officers & Employee Duties.

A. City Recorder. The City recorder shall be the parliamentarian and shall advise the presiding officer on any questions of order. Additionally, the City recorder shall keep the official minutes of the Council.

B. City Manager. The City manager or his designee is required to attend all meetings of the Council and is permitted to participate in any discussion; however, the City manager has no authority to cast a vote in any decision rendered by the Council.

C. City Attorney. The City attorney shall, unless otherwise directed by the City Manager, attend any meeting of the Council, and will, upon request, give an opinion, either written or oral, on legal questions.

D. The Chief of Police. Unless otherwise directed by the Council, the Chief of Police or her designee may attend each Council meeting to serve as the Sergeant-at-Arms, and shall carry out all orders or instructions upon direction of the Presiding Officer or upon any other procedure specifically provided by these rules.

V. Agendas. The City manager shall prepare an agenda for every regular meeting, and, if requested by the presiding officer, for every special meeting.

A. Agendas and informational material for meetings shall be distributed to the Council at least seven (7) days preceding the meeting.

B. No Council approval shall be required for an agenda of any meeting.

C. The City manager may place routine items and items referred by staff on the agenda without Council approval or action.

D. The City manager may remove any items on the consent agenda, any item of old business, any resolution, or any ordinance placed for first reading from the agenda at any time prior to the time the meeting is convened. The presiding officer shall announce such removal under announcements/proclamations.

E. A member of the Council who wishes to have an item placed on the agenda shall advise the City manager at least one week prior to the meeting.

F. Agenda items that are of special importance to Council may be treated as Special Orders of Business. Special Orders of Business take precedence over all other items except the Pledge of Allegiance.

G. A request to add an item for Council consideration may be presented at the Council meeting but shall require a majority concurrence of the members present to be so added. These items are limited to emergency items.

VI. Order of Business. The order of business for all regular meetings shall be as follows, however when it appears to be in the best interest of the public, the order of business may be changed for any single meeting by the City Manager or majority vote:

- I.** Call to Order
- II.** Pledge of Allegiance
- III.** Roll Call
- IV.** Announcements/Special Recognition (when appropriate)
- V.** Public Appearances
- VI.** Consent Agenda
- VII.** Items Removed from Consent Agenda
- VIII.** Public Hearings, Ordinances & Resolutions
- IX.** Business
- X.** Mayor's Report
- XI.** City Manager's Report
- XII.** Council Reports
- XIV.** Department Reports
- XV.** Executive Session
- XVI.** Adjournment

A. Call to Order. The presiding chair shall call all meetings of the Council to order. The call to order shall note the date, time and location of the meeting so that it may accurately be reflected in the minutes.

B. Roll Call. The City recorder shall conduct a roll call to determine which members of the Council are present and which are absent.

1. The attendance shall be properly reflected in the minutes.

2. If roll call determines that a quorum is not present, the meeting shall be adjourned.

C. Announcements/Special Recognition. Announcements are intended to be procedural in nature, such as an item being removed from the agenda. Special Recognitions are awards or recognition of individuals by the Council.

D. Public Comment

1. Policy. The Council recognizes that public input into the governmental process is an invaluable aid to informed decision making. Therefore, it is the policy of the Council that all citizens shall have the right to speak before the Council on matters of public concern, but each citizen shall be responsible for abuse of such right. Consequently, to ensure that the greater public interest is fostered, each citizen or group of citizens who desires to speak before the Council shall have the duty to exercise this right in a manner which furthers the greater public interest.

2. Public Comment Generally. Any member of the general public wishing to address the Council on a matter of public concern may do so at the time set for public comments during each regular session of the Council. The Council, in its sole discretion, may extend this time, or may request further information be presented to the Council on such date and in such manner as it deems appropriate. Public comment is limited to items not on the agenda, or items on the agenda which are not public hearings.

If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.

Speakers are limited to three (3) minutes, for individuals and five (5) minutes for persons representing a group of two or more. Generally, the speakers will be called upon in the order in which they have signed in on the speaker's roster. Speakers shall identify themselves by their names and by their place of residence. The presiding officer may allow additional persons to speak if they have not signed the speaker's roster and sufficient time is left.

Councilors may, after obtaining the floor, ask questions of speakers during public comment. Councilors shall use restraint when exercising this option, and shall attempt to limit questioning to no more than three minutes. The presiding officer may intervene if a councilor is violating the spirit of this guideline.

Speakers may play electronic audio or visual material during the time permitted for their comment. Speakers may utilize City-provided audio or visual equipment located in the Council chambers as a part of their comment, but must provide the materials in a readable format to City staff prior to the meeting so that it may be installed on the City's equipment to avoid a delay or disruption of the meeting.

E. Consent Agenda. In order to expedite the Council's business, the approval of minutes and other routine agenda items shall be placed on the consent agenda.

1. All items on the consent agenda shall be approved by a single motion, unless an item is pulled for further consideration.
2. Any item on the consent agenda may be removed for separate consideration by any member of the Council.
3. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the staff report, a determination that debate on a proposed course of action is deemed desirable, any questions to staff on an item, and any item where a member of Council must declare a conflict of interest.
4. Examples of items for Consent Agendas include Council Committee Minutes, OLCC requests, temporary street closures, annual proclamations and routine housekeeping items.

F. Ordinances and Resolutions – See Chapter 3

G. Public Hearings Generally

1. A public hearing may be held on any matter upon majority vote of the Council. Public hearings may be held to consider legislative, quasi-judicial or administrative matters.
2. Persons wishing to speak shall sign the Sign-In Roster with the person's name and address prior to the commencement of the public hearing at which the person wishes to speak.
3. The Presiding Officer shall announce at the commencement of any public hearing the subject of the hearing as it is set forth on the agenda. The presiding officer shall then declare the hearing open.
4. Each person shall, prior to giving testimony, give his or her name, shall indicate whether they are a resident of the City, and may give their address. All remarks shall be addressed to the Council as a body and not to any member thereof.
5. Council shall set the time limits for the applicant, appellant, or other interested persons. Except as otherwise provided an applicant or appellant shall be provided fifteen minutes. Other interested persons shall be given three minutes for individuals and five minutes for a group of two or more.
6. Councilors may, after recognition by the presiding officer, ask clarifying or follow up questions of individuals providing testimony after that individual has completed

his or her testimony. Questions posed by councilors should be to provide clarification or additional information on testimony provided. Questions should not be used as an attempt to lengthen or expand the testimony of the individual. Councilors shall be expected to use restraint and be considerate of the meeting time of the Council when exercising this option. The presiding officer may intervene if a councilor is violating the spirit of this guideline.

7. Councilors may, after the presentation of testimony of all interested persons, ask clarifying or follow-up questions of staff. Questions posed by City councilors should be to provide clarification or additional information on testimony provided.

8. The presiding officer may exclude or limit cumulative, repetitious, or immaterial matter. The presiding officer may order the testimony, alternating those speaking in favor and those in opposition, or have all speaking in favor testify, followed by all those in opposition. The presiding officer, with the approval of the Council, may further limit the time and/or number of speakers at any public hearing; provided that the presiding officer shall announce any such restrictions prior to the commencement of the testimony. In the event of large numbers of interested persons appearing to testify, the presiding officer, to expedite the hearing, may in lieu of testimony call for those in favor of the pending proposal or those in opposition to rise and direct the City recorder to note the numbers in the minutes.

9. At the end of public testimony and questions of staff, the Council shall initiate deliberations by introducing a motion on the matter; continue the hearing; or keep the record open for additional written testimony. During deliberations, each member of the Council shall have the opportunity to comment on or discuss testimony given during the public hearing.

10. A copy of any written testimony or physical evidence, which a party desires to have introduced into the record of the hearing, shall be submitted to the City recorder at the time of the hearing. Communications concerning quasi-judicial matters received prior to the hearing are ex parte contacts, and a councilor receiving any such communication must disclose the fact that such a communication has been received, and the content of the communication.

11. Documents submitted to the City as evidence or written testimony during a public hearing are public records. If such a document contains the name, address, including email address, and telephone number of the person, then it will be included in the record of the proceeding. Because the name, address, including email address, and telephone number are part of a public record, this information will be generally disseminated to the public, and must be disclosed if a public records request is submitted for the documents. A person who believes such disclosure would present a danger to his or her personal safety, and who wishes to exempt his or her address,

including email address, and telephone number from disclosure must submit a written request for nondisclosure to the City recorder pursuant to ORS 192.455(1).

H. Conduct of Hearings on Land Use Matters – See Chapter 4

I. Written Communications to Council.

1. Unsolicited communications to the mayor and/or Council concerning matters on the agenda shall be forwarded to the Council in the agenda packet, if received at least 7 days prior to the meeting, but shall not be individually itemized on the agenda. If received less than 7 days prior to the meeting, such communications will be provided to Council at the meeting.
2. Unsolicited communications to the mayor and/or Council concerning matters that are not on an agenda shall be forwarded to the mayor and/or Council but shall not be included in the agenda packet.
3. The City manager may, in his or her discretion, bring any matter raised by an unsolicited communication to the attention of the Council as an agenda item, provided that such communication is accompanied by a staff report setting forth the reason the matter should be considered by the Council, and making a recommendation for Council action.

J. Anonymous Communications. Anonymous and unsigned communications shall not be introduced at Council meetings.

CHAPTER 2 – MEETING TIME, LOCATION AND FREQUENCY

I. Regular meetings. The Council shall meet the second and fourth Thursday of each month except in those cases where the Council finds it necessary to designate another date due to conflicts and with the exception of designated holidays and/or Council recesses.

A. Meetings shall begin at 7:00 p.m.

B. Meetings shall adjourn at 10:00 p.m., but may be extended upon a majority vote of the Council. In no event shall meetings extend beyond 11:00 p.m.

II. Special meetings. Special meetings may be called by the presiding officer, by request of three members of the Council, or by the City manager and must be approved by a majority of the Council.

A. Notice of the special meeting shall be given to each member of the Council, the City manager, and each local newspaper, and radio and television station which has on file a written request for notice of special meetings.

B. Notice of the special meeting shall be given to all members of the Council and the City manager via telephone and email.

C. Special meetings shall be noticed in accordance with Oregon's public meetings law, and, at a minimum, shall be noticed at least 24 hours prior to the meeting taking place.

III. Emergency meetings. Emergency meetings may be called by the presiding officer, by the request of three members of Council, or by the City manager.

A. Notice of the emergency meeting shall be given to each member of the Council, the City manager, and each local newspaper, and radio and television station which has on file a written request for notice of special meetings.

B. Notice of the emergency meeting shall be given to all members of Council and the City manager via telephone and email.

C. Emergency meetings are those meetings called with less than 24 hours' notice and the Council shall identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.

D. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.

IV. Executive Sessions. Executive sessions may be called by the presiding officer, by the request of three members of Council, by the City manager or by the City attorney.

A. Only members of the Council, the City manager and persons specifically invited by the City manager or the Council shall be allowed to attend executive sessions.

B. Representatives of recognized news media may attend executive sessions, other than those sessions during which the Council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation and the news media is a party to the litigation.

V. Study Sessions. Study sessions are permitted to present information to the Council so that the Council is prepared for regular or special meetings.

A. All study sessions are subject to Oregon's public meetings law and must be noticed accordingly.

B. Study sessions are intended to allow for preliminary discussions, and the Council is not permitted to take formal or final action on any matter at a study session.

C. Study sessions are to be scheduled by the City manager.

D. The City manager is to invite any relevant staff to study sessions so that the sessions are as productive as possible.

VI. Holidays. In the event a regular meeting falls on a holiday recognized by the City, the regular meeting for that week shall be cancelled.

VII. Location. Council meetings shall be held at city hall.

A. In the event City hall is not available for a meeting, the Council shall meet at a venue open to the public which is located within the jurisdictional limits of the City.

B. Training sessions may be held outside of the City's jurisdictional limits, provided no deliberations toward a decision are made.

C. Interjurisdictional meetings may be held outside of the City's jurisdictional limits, but should be held as close as practical to the City, and such meetings shall be located within the jurisdictional boundaries of the other government entity.

D. No Council meeting shall be held at any place where discrimination on the basis of an individuals' race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability is practiced.

VIII. Notice. The City recorder shall provide notice of all meetings in accordance with Oregon's public meeting law.

IX. Attendance. Members of the Council shall advise the City manager if they will be unable to attend any meetings. Under the charter, a Council position becomes vacant if the member of Council is absent from the City for more than 30 days without Council permission or absent from all meetings of the Council within a 60-day period.

CHAPTER 3 – ORDINANCES AND RESOLUTIONS

I. Ordinances. All ordinances considered by and voted upon by the Council shall adhere to the rules outlined herein.

A. Preparation and Introduction.

1. All ordinances shall, before presentation to the Council, have been approved by the City manager, or the City attorney.

2. No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance, or section thereof, shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed.

B. Calendar of Ordinance.

1. An ordinance is introduced for consideration by the Council for presentation for first reading. After introduction, the Council may direct that:

- a. A public hearing on the ordinance be held;
- b. Refer the ordinance to committee for review and recommendation;
- c. Refer the ordinance to the City manager or staff for further revision;
- d. Pass the ordinance to a second reading; or
- e. Reject the ordinance in whole or in part.

2. All ordinances when introduced for first reading shall be identified by title and number on a calendar of first reading and may be passed to a second reading as a group without further reference.

3. Except as otherwise provided by this section, on second reading all ordinances shall be placed by title and number on the agenda for second reading, and may be passed as a group, provided that such ordinances are placed by title and number on a calendar of second reading, and the vote for the passage of the calendar is unanimous. Should any member of the Council object to any ordinance at the time of second reading, that ordinance shall be removed from the calendar of second reading, and considered separately. Ordinances to be considered separately shall be read by title only.

4. When a calendar of second reading of an ordinance which is to be considered separately is placed before the Council for final passage, the City recorder shall call the roll and enter the ayes, nays and abstentions in the record.

5. All proposed amendments to an ordinance shall be in writing, and may be made by interlineation upon the ordinance.

6. The Council may adopt an ordinance at a single meeting by the approval of a majority of the Council, provided the proposed ordinance is available in writing to the public at least one week before the meeting.

7. An affirmative vote of at least a majority of the quorum shall be necessary to pass an ordinance.

II. Resolutions. All resolutions considered by and voted upon by the Council shall adhere to the rules outlined herein.

A. Preparation and Introduction. All resolutions shall, before presentation to the Council, have been approved by the City manager or the City attorney.

B. Calendar of Resolution.

1. A resolution is introduced for consideration by the Council at a single meeting. After introduction, the Council may direct that:

- a. The resolution be approved;
- b. A public hearing on the resolution be held; or
- c. Reject the resolution in whole or in part.

2. All resolutions when introduced for first reading shall be identified by title and number on a calendar.

3. All proposed amendments to a resolution must be read aloud or made available in writing to the public at the meeting before the Council adopts the resolution.

4. An affirmative vote of a majority of the quorum shall be necessary to pass a resolution.

CHAPTER 4 – LAND USE HEARINGS

I. General Conduct of Hearings.

A. Any party may speak in person, through an attorney or agent.

B. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the City recorder at the time the party makes his or her presentation. If the testimony or evidence is not submitted to the City recorder, it shall not be included in the record for the proceeding.

C. No person may speak more than once without obtaining permission from the presiding officer.

D. Upon being recognized by the presiding officer, any member of the Council, the City Manager, community development director or the City attorney may question any person who testifies.

E. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the Council.

F. The presiding officer may exclude or limit cumulative, repetitious, or immaterial testimony. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the City recorder shall note the numbers of such persons for the record in the minutes.

II. Quasi-Judicial Land Use Matters.

A. Conflicts of Interest.

1. A member of the Council shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:

- a. The member has an actual conflict of interest as defined by the Oregon Revised Statutes or the City charter.
- b. The member was not present during the public hearing; provided, however, members may participate if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.

2. Members of the Council shall reveal any ex parte contacts with regard to the proceeding at the commencement of any quasi-judicial land use proceeding. If such contact impairs the member's impartiality, the member shall state this fact and abstain from participation in the matter.

C. Burden of Proof. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.

1. The decision of the Council shall be based on the applicable standards and criteria as set forth in the City's municipal code, the City's comprehensive plan, and, if applicable, any other land use standards imposed by state law or administrative rule.

2. The proponent, any opponents, and/or City staff may submit to the Council a set of written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

D. Hearing Procedures. The order of hearings in quasi-judicial land use matters shall be:

1. Land Use Hearing Disclosure Statement. The presiding officer shall read the land use hearing disclosure statement, which shall include:

- a. A list of the applicable criteria;
- b. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;
- c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
- d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

2. Call for ex parte contacts. The presiding officer shall inquire whether any member of the Council has had ex parte contacts. Any member of the Council announcing an ex parte contact shall state for the record the nature and content of the contact.

3. Call for abstentions. The presiding officer shall inquire whether any member of the Council must abstain from participating in the hearing due to a conflict of interest or bias. Any member of the Council announcing a conflict of interest or bias shall state the nature of the conflict or bias, and shall not participate in the proceeding, unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member shall not participate in any discussion or debate on the issue of which the conflict arises.

4. Staff summary. Planning staff shall present a summary and recommendation concerning the proposal.

5. Presentation of the Case.

- a. Proponent's case. Twenty minutes total.
- b. Persons in favor. Five minutes per person.
- c. Persons opposed. Five minutes per person.
- d. Other interested persons. Five minutes per person.
- e. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.

6. Close of hearing. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such

questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.

7. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

8. Findings and Order. The Council may approve or reject the proposal.

- a. The Council shall adopt findings to support its decision.
- b. The Council may incorporate findings proposed by the proponent, the opponent or staff in its decision.

E. Continuances. Only one continuance is available by right. However, nothing in this section shall restrict the Council, in its discretion, from granting additional continuances. Any continuance shall result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

III. Legislative Land Use Matters.

A. Hearings Procedures. The order of procedures for hearings on legislative land use matters shall be:

1. Call for abstentions. Inquire whether any member of the Council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefor and shall not participate in the proceedings.

2. Staff summary. Staff shall present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.

3. Presentation of the Case.

- a. Proponent's case. Twenty minutes total.
- b. Persons in favor. Five minutes per person.
- c. Persons opposed. Five minutes per person.
- d. Other interested persons. Five minutes per person.

4. Close of hearing. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.

5. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

6. Reopening hearing. Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the Council, a hearing may be reopened to

receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

CHAPTER 5 – MOTIONS, DEBATE, PUBLIC COMMENT AND VOTING

I. Motions. All motions shall be distinctly worded.

A. The following rules shall apply to motions:

1. If a motion does not receive a second, it dies.
2. The Council will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
3. Any motion shall be reduced to writing if requested by a member of the Council.
4. A motion to amend can be made to a motion that is on the floor and has been seconded.
5. No motion shall be received when a question is under debate except for the following:
 - a. To lay the matter on the table;
 - b. To call for the previous question;
 - c. To postpone;
 - d. To refer; or
 - e. To amend.
6. A motion may be withdrawn by the mover at any time without the consent of the Council.
7. Amendments are voted on first, then the main motion if voted on as amended.
8. A member of the Council may have a motion which contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
9. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
 - a. A call for the question fails without a majority vote.
 - b. Debate on the main subject resumes if the motion fails.

10. A motion that receives a tie vote fails.

11. The presiding officer shall repeat the motion prior to a vote.

12. A motion to adjourn cannot be amended.

B. Motion to Reconsider. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.

1. No motion shall be made more than once.

2. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the Council.

II. Debate. The following rules shall govern the debate of any item being discussed by the Council:

A. Every member desiring to speak shall address the presiding officer, and, upon recognition by the presiding officer, shall confine him/herself to the question under debate, refrain from impugning the motives of any member's argument or vote, and at all times act and speak in a respectful manner. No member shall address the presiding officer or demand the floor while a vote is being taken.

B. Members shall limit their remarks to five minutes unless granted additional time by the majority of the Council. No Council Member shall be allowed to speak more than once upon any one subject until every other member choosing to speak thereon has spoken.

C. A member, once recognized, shall not be interrupted when speaking unless called to order by the Mayor or Presiding Officer, or unless a point of order is raised by any Council Member while he or she is speaking, in which case said member shall cease speaking immediately until the point is determined. If ruled to be in order, said member shall be permitted to proceed; if ruled to be out of order, said member shall remain silent or shall alter his/her remarks to comply with the ruling.

D. The member of the Council moving the adoption of any ordinance or resolution shall have the privilege of closing the debate.

III. Public Comment. The public shall be entitled to comment on all matters before the Council that require a vote.

A. Public comment shall occur either during the public comment portion of the meeting, or at Council's election, after the matter up for vote has been presented by City staff and before the Council takes any formal action on the matter.

B. Each member of the public is entitled to comment on the matter before the Council for three minutes.

C. Public comment is a time for comment, it is not a time for debate, nor is it a time for members of the public to ask questions of and receive answers from the Council or City staff.

D. Each person desiring to give public comments shall provide the Council with his or her name and address prior to giving comment. This information shall be used to ensure the minutes of the meeting properly reflect those persons who provided public comment.

IV. Voting. The following rules shall apply to voting on matters before the Council, unless amended in the manner outlined in Chapter 4 of these Rules.

A. The following require a majority of the quorum to pass.

i. Reports. (No vote is required if the report is only for informational purposes).

ii. Consent Agenda.

iii. Resolutions.

iv. An Ordinance Involving a Fee or Fine.

v. An Ordinance Not Involving a Fee.

vi. Emergency Ordinance.

vii. Budget.

viii. Franchise.

B. Suspension of Rules. A unanimous vote of all members of the Council present shall be required to suspend or rescind a rule contained in these rules of procedure, however, rules in this chapter which also appear in the City's charter shall not be suspended or rescinded.

C. Votes must be Recorded. All votes shall be recorded in the minutes.

D. Ties. Tie votes shall indicate a denial of the proposal. If the tie is a matter that has been appealed from a lower City body or commission, a tie shall render the lower body's decision approved.

E. Effective date.

1. A resolution shall become effective upon adoption unless otherwise stated in the resolution.

2. Emergency ordinances shall take effect immediately upon their passage:

3. All other ordinances shall take effect thirty days after passage unless a later date is fixed on the ordinance, in which event it shall take effect at the later date.

4. The filing of a referendum petition shall suspend the effective date of an ordinance.

CHAPTER 6 – MINUTES

I. Generally.

- A.** All minutes shall be in written form, with an electronic copy of the meeting maintained by the City recorder in accordance with the appropriate record retention schedule.
- B.** The minutes shall contain the following information:
 1. The date, time and place of the meeting;
 2. The members present;
 3. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
 4. The results of all votes and the vote of each member by name;
 5. The substance of any discussion on any matter; and
 6. A reference to any document discussed at the meeting.

II. Approval. The Council shall approve all minutes of any Council meeting.

- A.** All minutes shall be approved within ninety days of the meeting having occurred.
- B.** The draft minutes shall be submitted to the Council as part of the Council's packet prior to the meeting where they will be discussed.
- C.** Any member of the Council may request an amendment or correction of the minutes prior to a final vote being taken on the minutes.
- D.** Grammatical changes that do not alter the substance of the minutes may be submitted directly to the city recorder and do not require a motion to amend.

CHAPTER 7 – APPOINTMENTS

- I. Appointments of City Staff.** The Council appoints and can remove the City manager and municipal judge as per the City's charter. All appointments require a majority vote of the entire Council.

A. Reviews. Any person appointed by the Council may be subject to an annual review by the Council.

B. Removals. All appointed persons may be removed by a majority vote of the entire Council.

C. Interference. If the Council appoints a municipal judge, the Council may meet with the judge, but in no instance shall the Council be permitted to interfere with the judge's exercise of judicial authority or discretion.

II. Appointment of Members to Commissions, Committees and Ad Hoc Committees.

A. City Commissions, Committees and Ad Hoc Committees. Unless otherwise provided by statute, ordinance or resolution, the following shall be the procedure for the creation of and appointments to all City Commissions, Committees and Ad Hoc Committees:

1. Creation and Dissolution. At any time, the Council may, by ordinance or resolution, establish any City Commissions, Committees and Ad Hoc Committees deemed necessary and in the best interests of the City, other than the Planning Commission. Unless otherwise provided, all Commissions, Committees and Ad Hoc Committees so created shall sunset at the end of their mission, but in all events shall be reviewed yearly from the date of initial creation, and at such time shall either be preauthorized or dissolved.

2. Qualifications. All appointees to City Boards, Commissions, and Lay Committees shall be registered electors and shall reside in the City of Central Point for a period of one year. No appointee may serve on more than two City Boards, Commissions, and/or Lay Committees at any one time.

3. Term. The term of all appointments shall be for one year or less, unless otherwise stated, beginning with the first Council meeting in January. Appointments may be renewed for any number of terms.

4. Vacancies. Any qualified citizen may submit a letter of interest for any open position on a City Board, Commission, or Lay Committee. Vacancies shall be advertised in the local media and letters of interest shall be received only during the time set forth in the advertisement.

5. Nomination and Confirmation. Except as otherwise provided by Code or the Charter, nominations for positions on City Boards, Commissions, and Lay Committees may be made by the Mayor or by any two Council Members, and shall be subject to confirmation by the Council.

6. Notification of Expiration of Terms. The City Manager shall give written notice to the Council of the expiration of the term of office of all members of City Boards, Commissions, and Lay Committees at least thirty (30) days prior to expiration date of any appointee's term of office.

7. Removal. All lay members of City Boards, Commissions, and Lay Committees serve at the pleasure of the Council and may be removed at any time for any reason whatsoever upon motion and vote by a majority of the Council.

All Council Member seats on the City Boards, Commissions, and Lay Committees are reserved for sitting Council Members and upon expiration of any Council Members term, or upon resignation, removal, or death, the Council Member's seat on any City Boards, Commissions, and Lay Committees occupied by that person shall be immediately declared vacant, and a sitting Council Member appointed as a replacement.

B. Council Committees.

1. Creation and Dissolution. Council Committees may be created at any time by resolution or motion. All Council Committees shall have a Chairperson and Secretary, who may be either appointed by the Mayor, or by a majority vote of the members of the committee in the absence of such appointment. Such committee shall report to the Council without unnecessary delay upon matters referred to them. All Council Committees, so created, shall sunset at the end of their mission, but in all events shall be reviewed at the first Council meeting of January each year for preauthorization, and at such time shall either be preauthorized or dissolved.

2. Membership. Membership on such Council Committees shall include only sitting Council Members, who shall be appointed by the Mayor or Presiding Officer, subject to confirmation by the Council. Council Committee appointments shall be for a term of one year, unless otherwise stated, and Councilors may be reappointed for an indefinite number of terms.

3. Meetings. Council Committee meetings may be called by the Chairman, or by any two members. A majority of the members of a Committee shall constitute a quorum to do business.

C. Meetings Subject to Oregon Open Meetings Law. All meetings of any City Boards, Commissions, and Lay Committees or Council Committees shall be subject to and comply with the Oregon Public Meetings Law, ORS 192.610-192.710.

D. Quorums. A majority of the sitting members of any City Boards, Commissions, and Lay Committees or Council Committees shall constitute a quorum to do business.

E. Registry. The City Recorder shall prepare, keep current, and retain on file in the Office of the City Recorder a list of all appointees to all City Boards, Commissions, and Lay Committees, the date of their appointment, the length of their unexpired term, and their addresses and phone numbers. All Council Members shall be given a copy of this list at least once yearly or upon any substantial change in membership of any City Board, Commission, and Lay Committee.

CHAPTER 8 – ETHICS, DECORUM, OUTSIDE STATEMENTS

I. Ethics. All members of the Council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the Council shall refrain from:

A. Disclosing confidential information.

B. Taking action which benefits special interest groups or persons at the expense of the City as a whole.

C. Expressing an opinion contrary to the official position of the Council without so saying.

D. Conducting themselves in a manner so as to bring discredit upon the government of the City.

II. Decorum.

A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the Council.

B. Members of the Council shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.

C. Members of the City staff and all other persons attending meetings shall observe the Council's rules of proceedings and adhere to the same standards of decorum as members of Council.

III. Rules of Conduct at City Council Meetings, Ejection and Exclusion.

A. To preserve order and decorum, the presiding officer or designee may direct that any person who disrupts any Council meeting, or any person who engages in dangerous or threatening behavior, after first having been warned to cease and desist from such disruption or dangerous or threatening behavior, be ejected or excluded from Council Chambers or such other place as the Council may be in session.

B. For purposes of this Section, an ejection is an order made by the presiding officer to immediately leave the meeting, and an exclusion is an order made by a majority of the Council prohibiting a person from entering or remaining at future meetings for a specified period of time.

C. Ejection or exclusion shall be issued in the following manner:

1. The presiding officer or designee will give a warning to the person engaging in disruptive, dangerous or threatening behavior. If the person engaging in disruptive, dangerous or threatening behavior does not cease that behavior following the warning, the presiding officer or designee will issue an ejection. An ejection shall be for the remainder of the session at which the disruptive, dangerous or threatening behavior has occurred.

2. For purposes of this Section, a person disrupts a meeting of the Council if the person engages in any conduct that obstructs or impedes the orderly carrying on of the business of the meeting. Such conduct includes, but is not limited to: any conduct that substantially prevents any other person from hearing, viewing or meaningfully participating in the meeting including booing or speaking out from anywhere other than the designated podium; carrying or displaying signs; any conduct that substantially interferes with ingress or egress to or free movement within the Council Chambers; shouting over, or otherwise disrupting, any person who is recognized by the presiding officer; any conduct that substantially interferes with City business conducted by City staff present at the session; or failure to obey any reasonable direction of the presiding officer.

3. A direction of the presiding officer is reasonable if it is reasonably related to maintaining order and decorum. A direction of the presiding officer is not reasonable if it is directed to speech or conduct the right to engage in which is, under the circumstances, protected by the federal or Oregon constitution.

4. For purposes of this Section, behavior is dangerous or threatening if a reasonable person, exposed to or experiencing such behavior, could believe that the person was in imminent danger of physical harm from the behavior. Notwithstanding the provisions of this Section, if the presiding officer reasonably believes that a person's dangerous or threatening conduct constitutes an emergency, the presiding officer is not required to give the person a warning before ordering the person ejected.

D. If a person has previously been ejected for dangerous or threatening behavior before the Council within 1 year before the date of the present ejection, or for disruptive behavior on three or more separate occasions within 1 year before the date of the present ejection, the person shall be excluded from Council meetings for 30 days. Written notice of such exclusion shall be given as provided in the Central Point Municipal Code.

IV. Statements to the Media and Other Organizations

A. Representing City. If a member of the Council, to include the mayor, appears as a representative of the City before another governmental agency, any City board or commission, the Council, the media or an organization to give a statement on an issue, the member may only state the official position of the City, as approved by a majority of the Council.

B. Personal Opinions. If a member of the Council, to include the mayor, appears in their personal capacity before another governmental agency, City board or commission, the Council, the media or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the City before giving their statement.

CHAPTER 9 – INTERACTIONS WITH STAFF & CITY ATTORNEY

I. Staff. All members of the Council shall respect the separation between the Council's role and the City's manager's responsibility by:

A. Not interfering with the day-to-day administration of City business, which is the responsibility of the City manager.

B. Refraining from actions that would undermine the authority of the City manager or a department head.

C. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature shall be directed to the City manager.

1. Questions from individual members of the Council requiring significant time or resources (two hours or more) shall normally require approval of the Council.

2. Members of the Council shall normally share any information obtained from staff with the entire Council. This section is not intended to apply to questions by members of the Council acting in their individual capacities rather than as members of the Council, nor to questions regarding conflict of interest or similar issues particular to a member of the Council.

II. City Attorney. In general, Council questions for the City Attorney should be directed to the City Manager, unless the City Manager authorizes the Council to proceed directly to the City Attorney.

CHAPTER 10 – CENSURE [AND REMOVAL]

- I. The Council may enforce these rules and ensure compliance with City ordinances, charter and state laws applicable to governing bodies. If a member of Council violates these rules, City ordinances, the City charter or state laws applicable to governing bodies, the Council may take action to protect the integrity of the Council and discipline the member with a public reprimand or removal as provided for in the city charter.
- II. The Council may investigate the actions of any member of Council and meet in executive session under ORS 192.660(2)(b) to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the City charter or state laws applicable to governing bodies has occurred. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

CHAPTER 11 – AMENDMENT AND REPEAL

- I. **Amendment.** These rules of procedure are subject to amendment by the Council in accordance with the rules noted herein.
 - A. Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
 - B. All amendments to these rules require a majority vote of the entire Council and shall be adopted by resolution.
 - C. Amended rules shall not go into effect until the meeting after the rule was approved.
- II. **Repeal.** These rules of procedure are subject to repeal and replacement by the Council in accordance with the rules noted herein.
 - A. Any proposed repeal of these rules shall be accompanied by a proposed replacement.
 - B. Any proposed repeal and replacement of these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
 - C. Any repeal and replacement of these rules requires a majority vote of the entire Council.
 - D. Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved.

**STATEMENT OF ACKNOWLEDGMENT
CONFLICT OF INTEREST**

I, _____, am a member of the City of Central Point City Council.

I acknowledge that I have received a current copy of the Central Point City Rules of the City Council. I agree to be bound by such rules and to conduct myself as a member of the Council in a manner reflecting high ethical standards.

I also acknowledge that I have received a copy of the Conflict of Interest Resolution adopted by the Council. I am not involved in any situation which could be construed as placing me in the position of having a potential conflict of interest with the City, except possibly the following:

Signature:

Date:

. 20__.